

ENTERED

April 22, 2020

David J. Bradley, Clerk

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION**

JAMES HERBERT ABNEY,

Plaintiff,

VS.

PHILIP SI FUENTES, *et al*,

Defendants.

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CIVIL NO. 2:19-CV-121

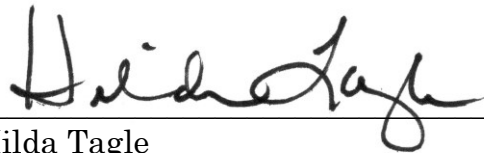
ORDER

The Court is in receipt of the Magistrate Judge's Memorandum and Recommendation ("M&R"), Dkt. No. 10. No objections were made to the M&R.

After independently reviewing the filings, the record, and applicable law, the Court **ADOPTS** the M&R, Dkt. No. 10, in substance.¹ The Court therefore **DISMISSES WITH PREJUDICE** Plaintiff's complaint.

Final judgment will be entered separately.

SIGNED this 21st day of April, 2020.



Hilda Tagle
Senior United States District Judge

¹ The published M&R contains several scrivener's errors; the Court instead adopts the following corrected statements (with the corrections in bold type):

- "Conversely, hostile environment claims are subject **to** this doctrine because they involve repeated conduct, which means that the 'unlawful employment practice' cannot be said to occur on any particular day." Dkt. No. 10 at 11.
- "**Plaintiffs** allegations suggest Defendant Sifuentes was personally responsible for Plaintiff's mail issues." *Id.* at 17.
- "Plaintiff primarily relies on his personal belief that Defendant Sifeuntes caused him to suffer delays with receiving **personal mail** and not on specific facts" *Id.* at 18.